U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 20, 2008

By Facsimile
Honorable Richard M. Berman
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007
Fax: (212) 805-6717

MEMO ENDORSED

Re: United States v. Tremain Tazewell, 07 Cr. 1035 (RMB)

Dear Judge Berman:

Trial in the above-captioned matter is currently scheduled to begin July 21, 2008. The Government respectfully submits this letter to convey the parties' joint request for a two-month adjournment of the trial date, to September 15, 2008. The adjournment request is based on the schedules of counsel, and would permit additional plea discussions, which both parties believe may be productive. In addition, the Government requests that, if the adjournment is granted, the Court exclude the time under the Speedy Trial Act until the adjourned date because the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8).

I have conferred with Sanford Talkin, Esq., counsel for defendant Tremain Tazewell, and he joins in this request.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By: _____
David A. O'Neil
Assistant United States Attorney
Tel. No.: (212) 637-2533

[Handwritten endorsement:]
Trial is adjourned to 9-8-08 Joint jury charges + motions in limine are due 8-8-08. Responses to motions in limine + witness names, locations etc. to be mentioned at trial are due 8-15-08. Time is excluded pursuant to the Speedy Trial Act for the reasons set forth in letter. 9-8-08.

SO ORDERED:
Date: 5-21-08

Richard M. Berman
Richard M. Berman, U.S.D.J.

5/21/08

cc: Sanford Talkin, Esq. (by facsimile: 212-482-1303)